



Colin Walsh <colin@wileywalsh.com>

Avery v. Archival Magazine, No. 3:20-cv-2168-N

7 messages

Colin Walsh <colin@wileywalsh.com>

Fri, Aug 14, 2020 at 2:48 PM

To: "Wolf, Tracy" <Tracy.Wolf@lewisbrisbois.com>, "Sedge, Brent" <Brent.Sedge@lewisbrisbois.com>

Ms. Wolf please find attached the lawsuit that was filed earlier today along with requests for waiver of service for each of the named defendants. Please fill out and return the Waiver for each defendant within 30 of this email. Let me know if you have any questions.

Sincerely,

Colin Walsh

Trial Attorney

Wiley Walsh, P.C.

1011 San Jacinto Blvd., Suite 401

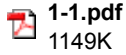
Austin, Texas 78701

Website | Bio | E-mail | T: (512) 271-5527 F: (512) 201-1263 Direct: (214) 389-5588



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8 attachments **SummonsWaiver.pdf**
10K **Waiver - Archival Institute.pdf**
58K **Waiver - Garza Legal Group.pdf**
59K **Waiver - Archival Magazine.pdf**
58K **Waiver - Garza and Harris.pdf**
58K **Waiver - Joe Garza.pdf**
58K **1-main.pdf**
371K**EXHIBIT
A**



Wolf, Tracy <Tracy.Wolf@lewisbrisbois.com>

Fri, Aug 14, 2020 at 4:56 PM

To: Colin Walsh <colin@wileywalsh.com>, "Sedge, Brent" <Brent.Sedge@lewisbrisbois.com>

Hi Colin—

We will forward this along to the Defendants. I do not know if they will authorize to act.

Have a good weekend.

Tracy

**Tracy Graves Wolf**

Partner | Vice Chair, Employment and Labor Practice

Board Certified by the Texas Board of Legal Specialization | Labor & Employment

Tracy.Wolf@lewisbrisbois.com

T: 972.638.8672 F: 214.722.7111 C: 903.238.3888

2100 Ross Avenue, Suite 2000, Dallas, Texas 75201 | LewisBrisbois.comRepresenting clients from coast to coast. [View our locations nationwide.](#)

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From: Colin Walsh <colin@wileywalsh.com>**Sent:** Friday, August 14, 2020 12:49 PM**To:** Wolf, Tracy <Tracy.Wolf@lewisbrisbois.com>; Sedge, Brent <Brent.Sedge@lewisbrisbois.com>**Subject:** [EXT] Avery v. Archival Magazine, No. 3:20-cv-2168-N

External Email

[Quoted text hidden]

Colin Walsh <colin@wileywalsh.com>

Fri, Aug 14, 2020 at 5:15 PM



Colin Walsh <colin@wileywalsh.com>

Service of process in Dallas

2 messages

Colin Walsh <colin@wileywalsh.com>

Fri, Sep 18, 2020 at 1:35 PM

To: McMichael Dana <assuredcivilprocessagency@yahoo.com>

Can you please serve these summons. I believe all of them can be served at the same address, but to different people at that address. Please see the complaint for more information.

Sincerely,

Colin Walsh

Trial Attorney

Wiley Walsh, P.C.

1011 San Jacinto Blvd., Suite 401

Austin, Texas 78701

[Website](#) | [Bio](#) | [E-mail](#) | T: (512) 271-5527 F: (512) 201-1263 Direct: (214) 389-5588



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2 attachments**5 - summons issued.pdf**

199K

**1-main.pdf**

371K

McMichael Dana <assuredcivilprocessagency@yahoo.com>

Fri, Sep 18, 2020 at 1:40 PM

Reply-To: McMichael Dana <assuredcivilprocessagency@yahoo.com>

To: Colin Walsh <colin@wileywalsh.com>

Got 'em. Thanks. We will get these out for service right away.

Have a blessed weekend!

**EXHIBIT
B**

Dana McMichael

ASSURED CIVIL PROCESS AGENCY

5926 BALCONES DRIVE, SUITE 290

AUSTIN, TX 78731

(512) 477-2681

(512) 477-6526 (Fax)

<http://www.assuredcivilprocessagency.com>

assuredcivilprocessagency@yahoo.com

[Quoted text hidden]

**Franchise Tax Account Status**

As of : 11/20/2020 13:39:32

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

GARZA LEGAL GROUP, PLLC	
Texas Taxpayer Number	32066539019
Mailing Address	11300 N CENTRAL EXPY STE 200 DALLAS, TX 75243-6731
? Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	03/14/2018
Texas SOS File Number	0802961753
Registered Agent Name	JOE GARZA
Registered Office Street Address	13155 NOEL ROAD SUITE 2300 DALLAS, TX 75240

**EXHIBIT
C**



Franchise Tax Account Status

As of : 11/20/2020 13:40:22

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

GARZA & HARRIS, LTD.	
Texas Taxpayer Number	32035312522
Mailing Address	11300 N CENTRAL EXPY STE 200 DALLAS, TX 75243-6731
 Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	10/19/2005
Texas SOS File Number	0800559435
Registered Agent Name	JOE B GARZA
Registered Office Street Address	13155 NOEL RD SUITE 2300 DALLAS, TX 75240

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Northern District of Texas

Avery

Plaintiff

v.

Archival Magazine LLC et al

Defendant

)
)
)
)
)
)
)

Civil Action No. 3:20-cv-02168-N

Summons in a Civil Action

TO: Joe B Garza

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or the plaintiff's attorney, whose name and address are:

Colin Walsh
1011 San Jacinto Blvd
Suite 401
Austin, TX 78701

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



Signature of Clerk or Deputy Clerk



DATE: 08/14/2020

**EXHIBIT
D**

UNITED STATES DISTRICT COURT
or the Northern District of Texas

AVERY
Plaintiff

v.

ARCHIVAL MAGAZINE LLC et al
Defendant

§
§
§
§
§
§

Civil Action No. 3:20-cv-02168-N

NON SERVICE AFFIDAVIT

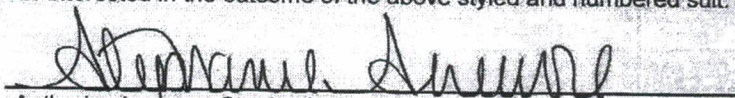
Came to hand: 9 / 18 / 2020, at 1:50 o'clock P.M.

☒ Summons in a Civil Action

Executed on: / / 2020, at o'clock .M.

Not Executed:: On 9/22/20 Attorney JOE B. GARZA office could not be found at: 13155 NOEL RD., STE #2300, DALLAS TX 75240. Suite are now "WORKSUITES DALLAS OFFICE SPACE"; Virtual offices for on demand use. Second address: 11300 N. CENTRAL EXPY, STE. 200, DALLAS TX 75243. Office locked and name on door "ARCHIVAL INSTITUTE LLC. No one answered: 10/20/20@ 2:50pm; 10/21/20@ 11:00a.m; 11/3/20@ 10:00a.m; 11/10/21/20@ 2:18p.m; a white haired man said go away, no one is in the office, we closed. Would not answer any questions about Mr. Garza Esq. Building management leasing office verified Ste.# 200 is ARCHIVAL INSTITUTE, LLC. Per attorney close out.

I am over the age of 18; and I am not a party to nor interested in the outcome of the above styled and numbered suit.

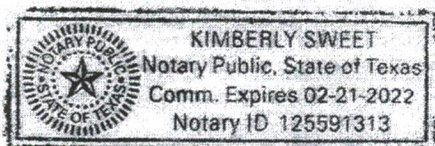

Authorized person: Stephanie Sizemore
Assured Civil Process Agency
5926 Balcones, Ste. 290, Austin, TX 78731

STATE OF TEXAS

}

VERIFICATION

Before me, a notary public, on this day personally appeared the above named authorized person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct. Given under my hand and seal of office on this the 11th day of November, 2020.




Notary Public:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Northern District of Texas

Avery

Plaintiff

v.

Archival Magazine LLC et al

Defendant

Civil Action No. 3:20-cv-02168-N

Summons in a Civil Action

TO: Garza & Harris LTD

A lawsuit has been filed against you.

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Colin Walsh
1011 San Jacinto Blvd
Suite 401
Austin, TX 78701

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



Signature of Clerk or Deputy Clerk



DATE: 08/14/2020

UNITED STATES DISTRICT COURT
or the Northern District of Texas

AVERY
Plaintiff

v.

ARCHIVAL MAGAZINE LLC et al
Defendant

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§
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Civil Action No. 3:20-cv-02168-N

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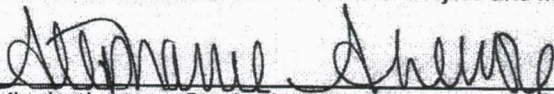
Came to hand: 9 / 18 / 2020, at 1:50 o'clock P.M.

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I am over the age of 18; and I am not a party to nor interested in the outcome of the above styled and numbered suit.

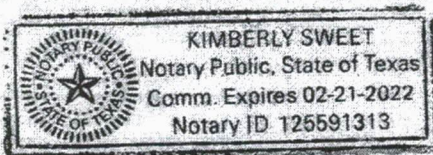

Authorized person: Stephanie Sizemore
Assured Civil Process Agency
5926 Balcones, Ste. 290, Austin, TX 78731

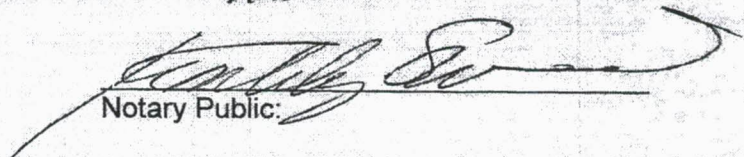
STATE OF TEXAS

}

VERIFICATION

Before me, a notary public, on this day personally appeared the above named authorized person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct. Given under my hand and seal of office on this the 11th day of November, 2020.




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UNITED STATES DISTRICT COURT

for the
Northern District of Texas

Avery

Plaintiff

v.

Archival Magazine LLC et al

Defendant

Civil Action No. 3:20-cv-02168-N

Summons in a Civil Action

TO: The Garza Legal Group

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Colin Walsh
1011 San Jacinto Blvd
Suite 401
Austin, TX 78701

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CLERK OF COURT



Signature of Clerk or Deputy Clerk



DATE: 08/14/2020

cm 9/12/20 @ 1:50 PM

UNITED STATES DISTRICT COURT
or the Northern District of Texas

AVERY
Plaintiff

v.

ARCHIVAL MAGAZINE LLC et al
Defendant

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Civil Action No. 3:20-cv-02168-N

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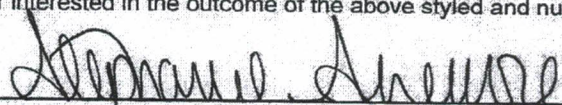
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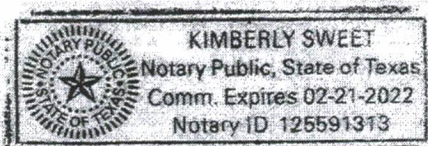
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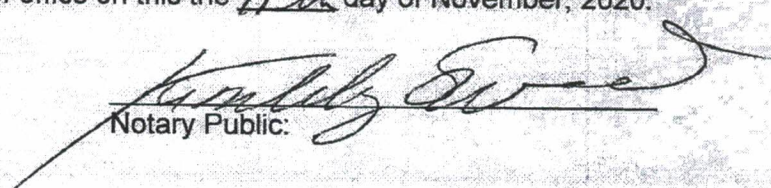

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5926 Balcones, Ste. 290, Austin, TX 78731

STATE OF TEXAS }

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Before me, a notary public, on this day personally appeared the above named authorized person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct. Given under my hand and seal of office on this the 11th day of November, 2020.




Notary Public:

JG

From: Joe Garza [REDACTED]
Subject: Re: Contact Info Lance KAPLAN
Date: October 23, 2015 at 11:40 AM

To: Shannon Nehus [REDACTED]
Cc: Mike Knapp [REDACTED], Dan Dawson [REDACTED]

Thx aga n

Joe Garza
13155 Noe Rd
Suite 2300
Dallas TX 75240

214-373-3300 Office
[REDACTED]

On Oct 23, 2015, at 11:20 AM, Shannon Nehus [REDACTED] >> wrote:

New York Video/Photo
C. [REDACTED]
[REDACTED]

Lance is going to work the conference Saturday with a second cam operator and he will e-connect us to a photographer for Friday night cocktail reception.

--
Nehus Art Firm, LLC
Archiva Magazine

office
214.526.4700

fax
214.526.4703

[REDACTED]
[REDACTED]

EXHIBIT
E